FILED

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

	July 07, 2025
	CLERK, U.S. DISTRICT COURT WESTERN DISTRICT OF TEXAS
BY:	NM
	DEPUTY

ROBERTO PUEBLA,

v.

Plaintiff,

FORD MOTOR COMPANY and CAVENDER GRANDE FORD,

Defendants.

NO. SA-25-CV-00476-OLG-HJB

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has considered United States Magistrate Judge Henry J. Bemporad's Report and Recommendation (R&R), filed June 11, 2025, concerning Plaintiff's Emergency Motion to Strike Removal and Recognize Continued State Court Jurisdiction Due to Fraud (Dkt. No. 17) and Motion to Remand (Dkt. No. 20). (*See* R&R, Dkt. No. 23.)

A party who wishes to object to a Magistrate Judge's findings and recommendations must serve and file specific written objections within 14 days. FED. R. CIV. P. 72(b)(2). Plaintiff, who is proceeding pro se, was electronically served with a copy of the R&R on June 12, 2025 (*see* Dkt. No. 23) and timely filed objections on June 13, 2025 (*see* Dkt. No. 24).¹

When a party objects to an R&R, the Court must make a de novo determination as to "any part of the magistrate judge's disposition that has been properly objected to." FED. R. CIV. P. 72(b)(3); see United States. v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989), cert. denied, 492 U.S. 918 (1989). Objections must be specific; frivolous, conclusory, or general objections need

¹The document containing Plaintiff's objections is entitled "Emergency Motion for Temporary Restraining Order, Injunctive Relief, and Objection to Report and Recommendation (Dkt. [No.] 23) with Motion to Vacate Void Removal, Strike Filings Under Rule 11, and Demand for Immediate Judicial Review." (Dkt. No. 24.) To the extent that Plaintiff seeks a TRO "halting all actions based on the void removal" (*see* Dkt. No. 24 at 2), his request is **DENIED** for the reasons stated in the R&R.

not be considered by the district court. Battle v. U.S. Parole Comm'n, 834 F.2d 419, 421 (5th Cir.

1987) (quoting Nettles v. Wainwright, 677 F.2d 404, 410 n.8 (5th Cir. 1982), overruled on other

grounds by Douglass v. U.S. Auto. Ass'n, 79 F.3d 1415 (5th Cir. 1996)). Any portions of the

Magistrate Judge's findings or recommendations that were not objected to are reviewed for clear

error. Wilson, 864 F.2d at 1221.

The Court has reviewed the entirety of the R&R de novo and finds that it is in all things

correct. Accordingly, the Court ADOPTS Judge Bemporad's R&R and, for the reasons set forth

therein, Plaintiff's Emergency Motion to Strike Removal and Recognize Continued State Court

Jurisdiction Due to Fraud (Dkt. No. 17) and Plaintiff's Motion to Remand (Dkt. No. 20) are

DENIED.

It is so **ORDERED**.

SIGNED this 7th day of July 2025.

ORLANDO L. GARCIA United States District Judge